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February 20, 2003

WRITER'S DIRECT NUMBER: (202) 772-8769 **INTERNET ADDRESS:** bskelton@skgf.com

Commissioner for Patents Washington, D.C. 20231

Hand-Carry to Examiner O. Chernyshev Art Unit 1646 MI 1040
RECEIVED 12900
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Re:

U.S. Utility Patent Application

Appl. No. 09/817,229; filed March 27, 2001 Method for Effecting Neuroprotection

Ferguson et al. Inventors:

1669.0040001/SRL/BLS Our Ref:

Sir:

Transmitted herewith for appropriate action are the following documents:

- Fee Transmittal (Form PTO/SB/17); 1.
- Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1); 2.
- Notice of Appeal From the Examiner to the Board of Patent Appeals and 3. Interferences - Small Entity;
- Amendment and Reply Under 37 C.F.R. § 1.116, with Exhibits A and B and 4. copies of Documents AC1 and AR2; and
- PTO-2038 Credit Card Payment Form for \$625.00 to cover: 5.

\$465.00 Extension for response within third month (37 C.F.R. § 1.17(a)(3)); and 160.00 Notice of appeal (37 C.F.R. § 1.17(b)).

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are

Sterne, Kessler, Goldstein & Fox PLL.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skgf.com

Commissioner for Patents February 20, 2003 Page 2

necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Bryan L. Skelton, Ph,D.

Agent for Applicants

Registration No. 50,893

BLS/dab ::ODMA\MHODMA\SKGF_DC1;103357;1 Enclosures

PTO/SB/17 (10-02)
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a colle

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

△ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT	OF DAVAGENT	
TAL AMOUNT	OF PAYMENT	(\$) 625.00

Complete if Known				
Filing Date	March 27, 2001			
First Named Inventor	Ferguson et al.			
Examiner Name	Chernyshev, O.			
Group Art Unit	1646			
Attorney Docket No.				

TOTAL AMOUNT OF PAYMENT (\$)625.00			Attorney Docket No. 1669.0040001/SRL/BLS						
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Complete (if applicable)									
Registration No. (Attorney/Agent) 50,893			,893	Telephone	202-371-2	2600			
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Robert Greene Sterne Edward J. Kessler Jorge A. Goldstein David K.S. Cornwell Robert W. Esmond Tracy-Gene G. Durkin Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert Linda E. Alcom Robert C. Millonig Lawrence B. Bugaisky Donald J. Featherstone Michael V. Messinger

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Senior Counsel Samuel L. Fox Kenneth C. Bass III Registered form Agents

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Agent J. Lougsport

Boris A. Marken J. Common Agent Ag

*Admitted only in Maryland *Admitted only in Virginia *Admitted only in Texas

June 11, 2002

WRITER'S DIRECT NUMBER:
(202) 312-7269
INTERNET ADDRESS:
bskelton@skgf.com

Art Unit 1646

Commissioner for Patents Washington, D.C. 20231

Re:

U.S. Utility Patent Application

Appl. No. 09/817,229; filed March 27, 2001 For: **Method for Effecting Neuroprotection**

Inventors: Ferguson et al.

Our Ref: 1669.0040001/SRL/BLS

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Fee Transmittal (Form PTO/SB/17);
- 2. Amendment And Reply Under 37 C.F.R. § 1.111, including:
 - a. Copy of the return postcard, date-stamped by the U.S. Patent and Trademark Office as having received, on October 2, 2001, the items listed thereon, including the 49 references cited in the Information Disclosure Statement;
 - b. Copy of Document AC1 (U.S. Patent No. 5,565,483) and Document AR2 (Bains, J.S. and Ferguson, A.V., *NeuroReport 8:2101-2105 (1997)*);
 - c. Copy of Form PTO-1449 pages wherein references AC1 and AR2 are cited;
- 3. First Supplemental Information Disclosure Statement and Fee Under 37 C.F.R. § 1.97(c)(2);
- 4. Form PTO-1449 (4 sheets) and accompanying (9) references;

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Commissioner for Patents June 11, 2002 Page 2

- 5. Return postcard; and
- 6. Our check no. 35471 for \$180.00 to cover the fee for submission of an Information Disclosure Statement (37 C.F.R. § 1.17(p)).

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

Bya Stall

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Bryan L. Skelton

Agent for Applicants

Registration No. 50,893

BLS/dab
Enclosures
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proved for use through 10/31/2002. Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

1 NUL 1	FEE TRANSMITTAL for FY 2002
3	gent fees are subject to annual revision.

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Signature

Bryan L. Skelton

Application Number 09/817,229 Filing Date March 17, 2001 First Named Inventor Ferguson et al. Examiner Name Chernyshev, Olga N. **Group Art Unit**

Complete if Known

TOTAL AYMENT (\$)180.00 1646 Attorney Docket No. 1669.0040001/SRL/BLS METHOD OF PAYMENT (check one) FEE CALCULATION (continued) Entity

Fee (\$) Fee Description

65 Surcharge - late filing fee or oath
25 Surcharge - late provisional filing fee or cover sheet
130 Non-English specification

2,520 For filing a request for ex parte reexamination The Commissioner is hereby authorized to charge ADDITIONAL FEES indicated fees and credit any overpayment to: Large Entity Small Entity Deposit Account Number 19-0036 Fee Fee Code (\$) Code Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C. 105 130 205 Charge Any Additional Fee Required 127 50 227 Under 37 CFR §§ 1.16 and 1.17 139 130 139 Applicant claims small entity status 147 2,520 147 See 37 CFR 1.27 112 920* 112 920* Requesting publication of SIR prior to Examiner action Payment Enclosed: 113 1,840* 1,840* Requesting publication of SIR after Examiner action 113 ☐ Credit card ☐ Money Order ☒ Other* *Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036 115 55 Extension for reply within first month 110 215 FEE CALCULATION 116 400 216 200 Extension for reply within second month BASIC FILING FEE 117 920 217 Extension for reply within third month 460 arge **Entity Small Entity** 118 1,440 Fee 218 Fee Description Extension for reply within fourth month Fee Paid Code (\$) Code (\$) 128 1.960 228 980 Extension for reply within fifth month 101 740 201 370 Utility filing fee 119 320 219 Notice of Appeal 160 106 330 206 165 Design filing fee 120 320 107 220 160 Filing a brief in support of an appeal 510 207 255 Plant filing fee 108 121 280 740 221 208 140 Request for oral hearing 370 Reissue filing fee 138 114 160 1.510 138 80 Provisional filing fee 1,510 Petition to institute a public use proceeding 140 110 240 55 Petition to revive - unavoidable 141 SUBTOTAL (1) (\$) -0-1,280 241 640 Petition to revive - unintentional 142 1.280 242 640 Utility issue fee (or reissue) 143 460 243 Design issue fee 144 620 244 310 Plant issue fee 122 130 122 Petitions to the Commissioner 130 EXTRA CLAIM FEES Fee from 123 Extra 130 123 Petitions related to provisional applications 130 below Fee Paid Total Claims ____20 - 22** = __0 126 180 _ X 126 180 Submission of Information Disclosure Stmt 180 Indep. Claims <u>1</u>- 3** = __0 581 40 Recording each patent assignment per property (times number of properties) 481 40 Multiple Dependent 146 740 246 Filing a submission after final rejection (37 CFR 1.129(a)) 370 Entity arge Entity Small 149 740 Fee Description 249 370 For each additional invention to be examined (37 CFR 1.129(b)) Code (\$) (\$) 18 203 9 179 Claims in excess of 20 740 279 370 Request for Continued Examination (RCE) 84 202 42 Independent claims in excess of 3 169 900 280 204 169 Request for expedited examination of a 140 900 Multiple dependent claim design application 84 209 42 *Reissue independent claims over original Other fee (specify): **Reissue claims in excess of 20 and over original patent 18 210 Other fee (specify) : SUBTOTAL (2) (\$) -0-'Reduced by Basic Filing Fee Paid or number previously paid, if greater; For Reissues, see above SUBTOTAL (3) SUBMITTED BY (\$) 180.00 Complete (if applicable) Name (Print/Type)

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